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ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND  
DIVISION

JANE ROE, an individual; MARY ROE,  
an individual; SUSAN ROE, an  
individual; JOHN ROE, an individual;  
BARBARA ROE, an individual;  
PHOENIX HOTEL SF, LLC, a  
California limited liability company;  
FUNKY FUN, LLC, a California limited  
liability company; and 2930 EL  
CAMINO, LLC, a California limited  
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN  
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**DECLARATION OF MATTHEW D.  
DAVIS IN SUPPORT OF  
ADMINISTRATIVE MOTION TO  
EXTEND TIME FOR PLAINTIFFS  
TO RESPOND TO DEFENDANT'S  
OPPOSITION TO MOTION FOR  
PRELIMINARY INJUNCTION**

**ASSIGNED FOR ALL PURPOSES  
TO THE HONORABLE DISTRICT  
JUDGE JON S. TIGAR,  
COURTROOM 6**

Action Filed: 03/14/2024  
Trial Date: Unassigned

1 I, Matthew D. Davis, declare as follows:

2 1. I am an attorney duly admitted to practice before this Court. I am a  
3 partner with Walkup, Melodia, Kelly & Schoenberger, attorneys of record for  
4 Plaintiffs. I have personal knowledge of the facts set forth herein, and if called as a  
5 witness, I could and would competently testify thereto. I make this declaration based  
6 in support of Plaintiffs' Motion to Extend Time for Reply.

7 2. The parties have conferred regarding scheduling of the depositions of  
8 third-party witnesses Joe Wilson and Dr. Tyler TerMeer. The deposition of Mr.  
9 Wilson is set for 10:00 a.m. on November 14, 2025, and the deposition of Dr. TerMeer  
10 is set for 2:00 p.m. on November 14, 2025.

11 3. I met and conferred with Deputy City Attorney Kaitlyn Murphy, counsel  
12 for Defendant. We agreed that if the Court extends the deadline for Plaintiffs to file  
13 their reply brief to November 21, 2025, then a corresponding extension of the due  
14 date for Defendant's sur-reply to December 12, 2025, should also be ordered. This will  
15 allow all parties sufficient time to prepare their respective filings.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct to the best of my knowledge.

18 Executed on this 31<sup>st</sup> day of October, 2025, at San Francisco, California.  
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23 Matthew D. Davis  
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